APPENDIX.

Chronology of Proceeding.

On June 28, 1935, the debtor filed its petition for reorganization under Section 77 of the Bankruptcy Act. (11 U. S. C. A. Sec. 205) Pursuant to Section 77(d), public hearings were held by the Commission on September 9, 10, 11 and 12, 1935; March 23 and 24, 1937; May 25, 26, 27 and 28, 1937; December 15, 16, 17, 18, 20, 21 and 22, 1937; and April 19, 20, 21 and 22, 1938. (R. 1472-3395) The record before the Commission consists of 3,584 pages of stenographic transcript and 596 exhibits, ranging from a single sheet to several hundred pages of data.

The many parties filed several sets of briefs before the Commission and on April 18, 1939, the Commission issued a proposed report on a plan of reorganization. (R. 3408-3501) Thereafter, exceptions to the proposed report, and briefs in support of the exceptions, and later, briefs in reply thereto, were filed. Oral arguments were heard by the entire Commission on June 29, 1938.

The initial report and order of the Commission approving a plan of reorganization were issued on December 12, 1939. (R. 3503-3661) Petitions for modification of the initial plan were filed on behalf of numerous parties and answers were filed to those petitions. On April 2, 1940, the Commission issued a supplemental report and order by which it modified the plan in certain respects, and as modified, approved and certified the plan to the district court. (R. 3661-3711)[1]

On April 15, 1940, the district court entered an order fixing the time within which objections to the plan and claims for equitable treatment might be filed. (R. 3808-

[1] Tables are annexed to the supplemental report showing the new capitalization, the charges and requirements thereunder, and the securities outstanding before reorganization, together with the distribution of new securities provided in the plan. (R. 3676-7)

3810) Hearings were held by the district court on the approved plan and on the objections thereto on June 24, 25, 26 and 27, and thereafter, on petition of the debtor, on July 22, 23, and 24, 1940. (R. 4084-4952) Voluminous oral and documentary evidence was introduced before the court in addition to the record certified to the court by the Commission, several sets of briefs were filed, and the matter was extensively argued by counsel for all parties. On September 11, 1940, the district court filed its opinion approving the plan (R. 5007-5059), and on October 12, 1940, entered its findings of fact, conclusions of law and decree approving the plan. (R. 5072-5091)

On January 22, 1941, the Commission submitted the approved plan to the creditors for acceptance or rejection, in accordance with the direction of Section 77(e). By order of May 13, 1941, the Commission certified the results of the submission to the district court. (R. 5314-5326)

By order of May 19, 1941, the district court set a hearing for June 23, 1941, to determine whether the plan of reorganization theretofore approved should be confirmed. (R. 5327-5328) The hearing was held, as set, and the evidence taken and arguments heard in support of and in opposition to confirmation of the plan. (R. 5376-5552) On June 25, 1941, the district court filed its opinion confirming the plan. (R. 5569-5582) On June 27, 1941, the district court's decree confirming the plan, containing also its findings of fact and conclusions of law, was duly entered. (R. 5591-5596)

Appeals were taken to the circuit court of appeals from the order approving the plan and from the order confirming the plan, and were consolidated. (R. 5703) The appeals were argued on December 29, 1941, and on February 9, 1942, the circuit court of appeals rendered its opinion and judgments affirming the orders of the district court approving and confirming the plan of reorganization. (R. 5787-5816) The petitions for writs of certiorari are from judgments affirming the orders of the district court.